

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-MD-02327 MDL No. 2327
THIS DOCUMENT RELATES TO: WAVE 1 CASES ATTACHED ON EXHIBIT A	JOSEPH R. GOODWIN U.S. DISTRICT JUDGE

**PLAINTIFFS' DAUBERT MOTION TO EXCLUDE CERTAIN OPINIONS AND
TESTIMONY OF
DEFENSE EXPERT REBECCA M. RYDER, M.D.**

NOW COME Plaintiffs, by and through undersigned counsel, and file this Plaintiffs' Daubert Motion to Exclude Certain Opinions and Testimony of Defense Expert Rebecca M. Ryder, M.D. ("Dr. Ryder") as contained in Expert Report of Rebecca M. Ryder, M.D., MDL General Report – Prolift, dated February 27, 2016. Specifically, Plaintiffs would respectfully show the Court that certain opinions and testimony should be excluded because: (1) they will not assist the jury in understanding the evidence; (2) they are not based upon sufficient facts, data or methodology; and, (3) the opinions are the product of unreliable principles and therefore cannot be reliably applied. Additionally, based on her education, background, training and experience, Dr. Ryder is not qualified to render these opinions.

In support of this Motion, Plaintiffs incorporate by reference the Memorandum of Law in Support of Daubert Motion to Exclude Certain Opinions and Testimony of Rebecca M. Ryder, M.D. and the following exhibits:

1. Wave 1 Cases This Document Relates To, attached hereto as Ex. A.

2. Expert Report of Rebecca M. Ryder, M.D., MDL General Report – Prolift, attached hereto as Ex. B.
3. Curriculum Vitae of Rebecca M. Ryder, M.D., attached hereto as Ex. C.
4. A true copy of the March 21, 2016, deposition transcript of Rebecca M. Ryder, M.D., taken in the *Justus, et. al. and McBrayer, et. al. v. Ethicon, Inc., et al.*, cases, attached hereto as Ex. D.
5. List of Materials Reviewed, Exhibit B to Prolift General Report of Rebecca Ryder, M.D., attached hereto as Ex. E.
6. Rule 26 Expert Report of Prof. Dr. Med. Uwe Klinge, attached hereto as Ex. F.
7. Email chain, ETH.MESH.00467706-ETH.MESH.00467709, attached hereto as Ex. G.

WHEREFORE, FOR THESE REASONS and as more fully set forth in Plaintiffs' supporting memorandum of law, Plaintiffs respectfully request that this Court grant their Motion to Exclude Certain Opinions and Testimony of Defense Expert Rebecca M. Ryder, M.D. Additionally, Plaintiffs request all other and further relief to which they may be justly entitled.

This 21st day of April, 2016.

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CERTIFICATE OF SERVICE

I hereby certify that on April 21, 2016, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive services in this MDL.

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